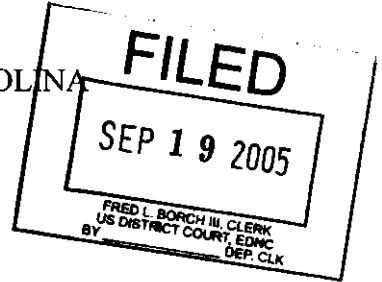


UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA



IN RE EXTERIOR INSULATION FINISH
SYSTEMS (EIFS) PRODUCTS LIABILITY
LITIGATION

Master Case No. 5:96-CV-287

BURKHARD CORPORATION and
BURKHARD HOTEL PARTNERS II, LLC,

Plaintiffs,

v.

Individual CA No. 5:04-CV-792-BR ✓

G&R CONSTRUCTION, INC. and
STO CORP.,

Defendants.

STIPULATION OF DISMISSAL WITH PREJUDICE

Pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, plaintiffs, Burkhard Corporation and Burkhard Hotel Partners II, LLC, and defendants, Sto Corp. and G&R Construction, Inc., hereby dismiss the above-captioned matter with prejudice. The parties agree

to bear their own costs of the action.

BURKHARD CORPORATION and
BURKHARD HOTEL PARTNERS II, LLC,

By their attorneys,

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G&R CONSTRUCTION, INC.,

By its attorneys,

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STO CORP.,

By its attorneys,

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Dated: September 15, 2005

CERTIFICATE OF SERVICE
I hereby certify that a true copy of the
above document was served upon the
attorney of record for each other party
by mail, sent on 9/15/05
Karen G. Gibson